

Life After NESWC minutes 12/15/04

Present: Bob Johnson, Carol Holley, David Stone, Pat Clifford, Ann Chang, Gary McCarthy, Bruce Stamski. Absent: Peter Ashton, John Murray

1. Minutes approved.

2. Annual Report needs to be written for Jan. 17 dead line. Suggestion to rewrite the report in the State of the Town booklet.

3. Time line

Ann suggested that the committee needed to develop a plan for the "status quo" position as the time was running short and it did not look like any other plan could be ready for the April Town Meeting.

Bruce agreed and said that an analysis of a three-day operation was already being undertaken by staff.

? Gary: what is the status quo

David: economically neutral

Pat did not agree that the process should be economically neutral---she would like to make a small profit. But it should be understood that the status quo does not mean the transfer station will be open six days a week.

Bruce cautioned that if the bidders find out that the RFP's may not be acted on, they may in fact not bid.

David noted that there would always be a time delay in dealing with Town Meeting and cited the Peet's project as an example.

There was a general feeling that the committee could not be ready for the April Town Meeting. Again Bruce cautioned that the bidders might think we were not being serious. Bruce related that several bidders found the Jan. 6th due date too close and asked for more time.

Pat and Bob were against any extensions. Gary, Ann & David were in favor saying that it might lead to a better proposal. It was agreed that the one bidder for the commercial development, a very complex project might need more time but not for the bidder on the curbside pick-up.

David moved: staff bring the numbers and a one page summary for the extension of the transfer station for one year. This will include all costs and implementation ideas. It will be due Jan. 6th or "as soon as practical"

There were questions as to what happens to current transfer station staff---they are paid from the NESWC fund. David reminded members that eventually the fund money would revert to the town. Carol asked that the report have hard data for decision purposes.

There were questions as to whether the DEP has been out to the landfill to talk about capping. The answer is no, but Bruce said that the bidders were going to the DEP for information so he is sure "Acton is on their radar"

The motion passed unanimously

The time line was discussed again. It was noted that there needs to be a risk analysis done of the choice. Ann stated she did not want the Town finance committee to do this analysis. Bruce suggested CDM could start and also recommend another consultant.

The discussion returned to the issue of allowing the bidders an extra two weeks.

Bruce stated that no contact can be made between any of the bidders, committee members or Town staff. So there is no possibility of knowing if the bidders will come in with better proposals if granted more time. Any extension that is offered must be given to all and done as an addendum to the contracts.

Motion was made to extend the time for two weeks. Yes: Ann David, Carol; No Pat & Bob. Ann stated that the committee still needed to present a "status quo"

If a new contract cannot be ready for April, the time line still needs the development of a back-up article. There will have to be a public discussion of this article. In this meeting we will need to indicate when the proposals will be ready. It was suggested that we add a fall town meeting to the time line.

Pat stressed that there will still be a delay between any acceptance of a contract and the implementation. She asked if there were legal impediments to having tow systems overlap. No one knew the answer.

Gary asked if we could fulfill the termination clause of the NESWC contract and begin a new operation without any delay period. This too was not fully answered.

Carol wanted to know if the landfill would be opened for C&D. Bruce said it was probable but we would not know until the bids were opened.

Other questions: can the landfill be graded and capped and still have the transfer station open? The question of legal complications, the bids being no good if the implementation time was delayed. can we still use North Andover as a site. Can we still negotiate in good faith if we do not know the start date of any contract. The committee would like answers to these questions

The directions to staff: do an analysis of continuing on the spot market; impact of cost on a year extension; 2-3 day opening of transfer station;

The timeline now has a bid deadline of Jan 13. Next meeting Jan 13th.

Adjourned 8:45

A. Chang